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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 STEVEN DANIEL MILLER,
15 Defendant.
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CASE NO. 2:23-CR-250-DJC

**STIPULATION AND ORDER CONTINUING
STATUS CONFERENCE AND REGARDING
EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT**

17 Plaintiff United States of America, by and through its counsel of record, and defendant Steven
18 Daniel Miller, by and through his counsel of record, hereby stipulate as follows:

19 1. The parties attended a status conference before the Court on December 14, 2023. By
20 previous order, another status conference was scheduled for January 18, 2024, and all time up to January
21 18, 2024, was deemed excluded from the Speedy Trial Act under Local Code T4. ECF 24.

22 2. By this stipulation and proposed order, the parties now move to continue the status
23 conference in this matter to February 1, 2024, at 9:00 am, with all time until that date excluded under
24 Local Code T4.

25 3. The parties agree and stipulate, and request that the Court find the following:

26 a) The government has produced over 1,000 pages of discovery, including bank
27 records, search warrant evidence, and US Secret Service reports. Defense counsel is still in the
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**Stipulation and Order Continuing Status
Conference**

1 process of accessing and reviewing discovery and discussing the same with his client.

2 b) Defense counsel desires additional time to consult with his client, to conduct
3 investigation and research related to the charges, to review and copy discovery for this matter,
4 and to discuss potential resolutions with his client.

5 c) Defense counsel believes that failure to grant the above-requested continuance
6 would deny him the reasonable time necessary for effective preparation, taking into account the
7 exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of January 18, 2024, to February 1,
14 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4] because it results from a continuance granted by the Court at defendant's request on the basis
16 of the Court's finding that the ends of justice served by taking such action outweigh the best
17 interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

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**Stipulation and Order Continuing Status
Conference**

1 Dated: January 12, 2024

PHILLIP A. TALBERT
United States Attorney

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3 /s/ Denise N. Yasinow
4 Denise N. Yasinow
Assistant United States Attorney

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6 Dated: January 12, 2024

/s/ Mark Reichel
Counsel for Defendant
Steven Daniel Miller

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10 **FINDINGS AND ORDER**

11 IT IS SO FOUND AND ORDERED this 12th day of January, 2024.

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14 /s/ Daniel J. Calabretta
15 THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE

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**Stipulation and Order Continuing Status
Conference**